

LFC Requester:

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**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment Correction Substitute

Date Prepared: 02/21/23

Bill No: [HJM3/aHEC](#)Sponsor: LenteAgency Name
and CodeNumber: PED - 924Short
Title: YEAR OF BILINGUAL
MULTICULTURAL EDUCATIONPerson Writing Gregory FrostadPhone: (505) 470-5752 Email: gregory.frostad@ped.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
none	None	None	N/A	NFI

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFI

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE**BILL SUMMARY**

Synopsis of HEC Amendment: The House Education Committee amendment to House Joint Memorial 3 (HJM3/aHEC) removed the proposed language that would have required the Bilingual Multicultural Education Advisory Council (BMEAC) to provide a report of findings from the

assessment and program priorities and funding recommendations to the Governor, the Legislative Education Study Committee (LESC), and the Legislative Finance Committee (LFC). Instead, the bill requests the Public Education Department (PED), in consultation with the BMEAC, to convene a task force and generate a report to address the LFC program evaluation about bilingual and multicultural education programs (BMEPs) and any community concerns by September 1, 2023.

Synopsis of Original Bill: House Joint Memorial 3 (HJM3) commemorates the 50th anniversary of the Bilingual Multicultural Education Act (BMEA) and requests the Governor to proclaim 2023 as “The Year of Bilingual Multicultural Education.” Additionally, HJM3 includes several requests related to the implementation of BMEPs.

FISCAL IMPLICATIONS

HJM3/aHEC does not contain an appropriation.

SIGNIFICANT ISSUES

HJM3/aHEC reiterates requirements that are already included in the BMEA and [6.32.2 NMAC, Guidelines for Implementing Bilingual Multicultural Education Programs](#), including:

- BMEP Annual Report;
- requirements for instruction, instructional materials, assessments, and professional development;
- consultation with tribal councils or other appropriate tribal entities with authority to make education decisions on behalf of Native American children; and
- department duties on providing technical assistance and non-regulatory guidance documents.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

The bill requires PED to:

- provide a report to the Legislature on how the requirements of the Bilingual Multicultural Education Act are or are not being fulfilled;
- revise and update the current Spanish proficiency endorsement exam;
- provide additional remuneration for bilingual educators, administrators and professors;
- provide resources to develop native language learning assessments
- review the need for scholarships for students to pursue bilingual multicultural education teaching or terminal degrees;
- convene a taskforce to generate a report on the Legislative Finance Committee Program Evaluation: *Bilingual Multicultural Education Program Report Findings and Recommendations* and any community concerns by September 1, 2023.
- fully comply, address and fund the linguistic rights of New Mexico's bilingual multicultural students as provided for in Article 12, Section 8 of the Constitution of New Mexico, the court rulings of *Serna v. Portales*, *Lau v. Nichols*, *Castañeda v. Pickard* and *Martinez/Yazzie v. State of New Mexico*, the Bilingual Multicultural Education Act and the federal Native American Languages Act

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Duplicates: Senate Joint Memorial 6, Year of Bilingual Multicultural Education.

Relates to: HB152, Prueba de Español Para la Certification, which makes an appropriation to the PED to finance the development of an updated version of the Prueba de Español para la Certificación, the Spanish proficiency endorsement exam.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

HJM3 reiterates requirements of the Indian Education Act and items currently funded under the Act to provide resources and expertise to assist Native American language teachers, coordinators and tribes in New Mexico to develop appropriate tools for assessing Native language learning and evaluation programs.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.